

Senate Bill No. 134

CHAPTER 290

An act to add Section 31663.15 to the Government Code, relating to county employees' retirement.

[Approved by Governor October 5, 2007. Filed with
Secretary of State October 5, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 134, Cedillo. County employees' retirement: mandatory retirement.

The County Employees Retirement Law of 1937 provides a comprehensive set of rights and benefits for county and district employees who are members of a retirement system subject to that law. That law permits a county to require sheriffs, undersheriffs, and marshals who are safety members to be retired at 60 years of age or 70 years of age.

This bill would, upon approval of a resolution by the board of supervisors in Los Angeles County, make that requirement inapplicable to specified safety members in that county if a physician employed or approved by the county certifies that the safety member is capable of performing his or her assigned duties pursuant to standards set forth by his or her employer. The bill would also provide that these provisions apply to a specified safety member who reinstates from retirement. The bill would provide that the resolution of the board of supervisors may designate a date, which may be prior to the date of the resolution or the effective date of these provisions, upon which the resolution and these provisions shall be operative in Los Angeles County.

The people of the State of California do enact as follows:

SECTION 1. Section 31663.15 is added to the Government Code, to read:

31663.15. (a) Sections 31662.4, 31662.6, 31662.8, and 31663 shall not apply to a person who is an active safety member described in Section 31469.3 or 31470.4 if a physician employed or approved by the county certifies that the safety member is capable of performing his or her assigned duties pursuant to standards set forth by the member's employer.

(b) This section shall also apply to a member who reinstates from retirement pursuant to Section 31680.8.

(c) This section applies only to a county of the first class, as defined by Section 28020, as amended by Chapter 1204 of the Statutes of 1971, and Section 28022, as amended by Chapter 43 of the Statutes of 1961.

(d) This section shall not be operative in any county until the board of supervisors shall, by resolution adopted by a majority vote, make this section and Section 31680.8 applicable in the county. The resolution of the board of supervisors may designate a date, which may be prior to the date of the resolution or the effective date of this section, upon which the resolution and this section shall be operative in the county.

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